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***IUS AD BELLUM AND THE BOMBING OF A DIPLOMATIC HEADQUARTERS: THE CASE OF IRAN IN DAMASCUS***

Christine Maggy Payton, Ph.D in international law, US

**Abstract:** On 13 April 2024 Iran declared that was victim of an armed attack on its embassy in Syria by Israeli forces that killed military officials. As a consequence of this, Iran invoked Art. 51 of the UN Charter to make use of missiles of high precision and drones (in the operation: “True promise”) against Israel. Based on the above facts, the present paper seeks to analyze the concept of armed attack, that is, one of the most contentious aspects of the legal framework governing the use of force in international law. For doing this, we make use of similar cases from the past, of the jurisprudence of the International Court of Justice, of statements from third states and of relevant precedents, that indicate the right of self-defense presented by victim states, as a response to attacks on diplomatic premises, which do not receive and approve the unanimous opinions

of the international community. The lack of consensus had attributed to the absence of understanding, as a diplomatic premises to constitute a target of an armed attack under Art. 51 of the UN Charter.

**Keywords:** Art. 51 of the UN Charter; armed attack; operation: “True promise”; use of force; international law; self-defense.

## **INTRODUCTION**

From social media and newspapers, that follow the situation in Israel and in Gaza area, we have noticed that the Israeli armed forces on 1st April 2024 bombed the Iranian diplomatic mission in Syria causing the death of members of the military personnel, working at the diplomatic headquarters. As a consequence of the armed attack, Iran invoked Art. 51 of the UN Charter and struck on the night of 13 April by launching missiles and using drones, under the operation called “true promise”.

On 13 April 2024, Iran struck Israel for bombing the headquarters of the diplomatic mission in Syria and not for killing the general Mohammad Reza Zahedi. The general

was the head of the forces called Quds in the operations in Lebanon and Syria, i.e. of the Islamic Revolutionary Guards.

This is not the same case with the military operation carried out in self-defense after the killing by the United States of the general Soleimani in Baghdad on 3 January 2020. After the death of the general, Iran identified the execution against a state organ as an attack to destroy its mission. As a consequence, Iran after the armed attack of 2024 considered itself as a justified victim, under the term of self-defense before the international community, to be able to attack the Israelis.

However, it would not be correct to say that the statements of Iran regarding the legal interpretation of the subject were different since they found basis in the words of the International Court of Justice (ICJ) and especially in the *Nicaragua v. United States* case of 1996, which did not attribute to the states legal views different from those they expressed (Liakopoulos, 2020).<sup>1</sup>

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<sup>1</sup>ICJ, case 27 June 1986, relating to the matter of military and paramilitary activities in and against Nicaragua (*Nicaragua v. United States*), ICJ Reports, 1986, p. 109, para. 207.

The situation was complex for the interpretation of the *jus ad bellum* notion. Accordingly, the term of armed attack in international law is varied and as a consequence draws our attention. In the specific case under examination, the destruction of the headquarters of a diplomatic mission abroad in itself allows an armed reaction, according to Art. 51 of the UN Charter. Interesting is, also, the attitude of third states, that respect the claim of Iran to act in self-defense. Therefore, both the armed response and the bombing of the headquarters of the mission are condemned by the international community.

The ICJ has not had the opportunity to take a position on such a case. However, its judgments provide principles and criteria of methodology relevant for the reconstruction of the notion of armed attack. The *opinio juris* for the states is expressed in a similar way by the precedents.

In the specific case under examination, the destruction of the headquarters of a diplomatic mission has not perceived as an armed attack. On the other side, Art. 51 of the UN Charter called by an affected state. Actually has as its final objective the punishment and defensive prevention of the military operation for an armed retaliation.

**THE EVENTS OF 1ST AND 13 APRIL 2024**

The Iranian letter sent to the UN Security Council considered the Israeli bombing as a terrorist attack, which violated the UN Charter, international law and the principles of fundamental nature that have to do with the inviolability of the premises of diplomatic and consular missions. In particular, it asked the Security Council to

“(...) condemn criminal acts and terrorist attacks and to take the necessary measures against future acts of aggression that endanger the security of diplomatic missions (...)”.

Additionally, Iran considered its response legitimate, based on international law and on the UN Charter.<sup>2</sup> Therefore, Iran did not mention the right of self-defense provided for by Art. 51 of the UN Charter but only in a generic way mentioned its “constitutional and legal right to defend the unity and integrity of its territory”.<sup>3</sup>

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<sup>2</sup>Letter dated 1st April 2024 from the “chargé d’affaires” of the permanent mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary General and the president of the Security Council, 1st April 2024, UN Doc. A/78/838-S/2024/281.

<sup>3</sup>Identical letters dated 1st April 2024 from the permanent representative

Syria, from its side, reacted about the terrorist attack in its territory, with a letter to the UN Security Council protesting for the violation of the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963. It also considers, the bombing an act of aggression together with a series of attacks by Israel against its territorial and sovereign integrity. General speaking, Syria and Iran wanted to counter the activities of terrorist groups in order to protect members of international organizations and diplomats, who were guests at the bombed premises.

After the respective protests of Iran and Syria, at the UN Security Council several states condemned the different shades of the norms of *jus ad bellum*. The states that were presented to the Security Council meeting were numerous and condemned the respective bombing of the embassy. They considered the action of Israel as a serious violation of the Vienna Conventions of 1961 and 1963. In addition, they emphasized, in particular the Russian Federation and Iran,

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of the Syrian Arab republic to the United Nations addressed to the secretary general and the president of the Security Council, 8 April 2024, UN Doc. A/78/845/-S/2024/285.



that the attack on the embassy compromised the territorial integrity and sovereignty of Syria. Also, the failure to comply with Art. 2, par. 4 of the UN Charter meant, especially, for the UN the obligation of Israel to respect the inviolability of the premises of diplomatic missions. Despite this, the Security Council did not adopt the condemnation against Israel.

Israel, on the other hand, has not taken an official position. Only after April 4th did Prime Minister Netanyahu declare the opening of security to Israel, thus, reserving the right to act in defense of Israel directly and through “proxies”. These are ambiguous words from the part of the Prime Minister, who continued to defend his state

“we will act according to the simple principle of whoever harms us or plans to harm us, we will harm them (...)”.<sup>4</sup>

His positions included legitimate defense and a preventive nature against states and non-state entities. The Quds Force and General Reza Zahedi were for Israel a terrorist organization since 2 December 2012. The expression of preventive legitimate defense for Israel was based on a broad interpretation of the notion of armed attack.

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<sup>4</sup>[www.gov.il](http://www.gov.il) Accessed on 2 April 2025.

Iran stressed that the right of self-defense was recognized by states such as the United States, the United Kingdom and France on an erroneous interpretative basis. It also, invoked the justification of Israel's actions against the Palestinians. Therefore, the states prevented the Security Council of 2 April from condemning the attacks in the consular section of the embassy in Syria. As a consequence of this, Iran forced to respond on a basis that finds space in Art. 51 of the UN Charter.<sup>5</sup>

In fact, Iran has defined the bombing of a diplomatic mission as an armed attack that needs a react based on Art. 51 of the UN Charter. With these words Iran intended a response with a series of military operations against Israeli military targets without the intention of provoking an “escalation or conflict” in its own region.<sup>6</sup> Thus, with drones and various missiles against Israeli bases responded Iran on 13 April. This position was accepted also by Syria

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<sup>5</sup>UN, Security Council, 9602nd meeting, 144 April 2024, UN Doc. S/PV.9601, p. 14.

<sup>6</sup>Letter dated 13 April 2024 from the permanent representative of the Islamic Republic of Iran to the United Nations to the Secretary General and the President of the Security Council, 16 April 2024, UN Doc. S/2024/305.

and then resumed through the meeting of the Security Council.<sup>7</sup>

Israel, on the other part, sent a letter to the president of the UN Security Council to the attack suffered sustaining that this action violated the Resolutions of the Security Council, i.e. the Resolutions n. 2231 of 2015 and 1701 of 2006. Israel also stressed the seriousness of the Iranian reaction, that precisely violated state sovereignty and international law.<sup>8</sup>

On 14 April, the Security Council convened an emergency meeting on the matter. The states brought the armed response of Iran within an aggressor-aggressor position based on Art. 51 of the UN Charter. The requirement for the parties to act with maximum restraint and to refrain from acts of retaliation expresses serious concerns.<sup>9</sup>

The unlawfulness of the armed response by Iran and the bombing of the Iranian embassy by Israel is noted. The

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<sup>7</sup>UN, Security Council, 9608th meeting, 18 April 2024, UN Doc. S/PV.9608, p. 31.

<sup>8</sup>Identical letters dated 13 April 2024 from the permanent representative of Israel to the United Nations addressed to the Secretary General and the President of the Security Council, 16 April 2024, UN Doc. S72024/304.

<sup>9</sup>UN, Security Council, 2nd meeting, 14 April 2024, UN Doc.S/PV.9602, pp. 3, 6 and 10ss.

hesitation of the attack by Iran denied that the United States is treating an action by its very nature as defensive. Iran and the Russian Federation complained about the existence of a double standard for the exercise of the right of self-defense. Many states that were not present also condemned Iran's claim of defensive action.

The positions of third states in relation to the events allow for some assessments. The bombing of the embassy was a serious violation of the Vienna Conventions on Diplomatic and Consular Relations of 1961 and 1963 as well as of Art. 2, par. 4 of the UN Charter by some states. The bellicosity suffered was qualified as aggression by Syria and Iran.

The attitude and immediacy of the facts did not justify the invocation of the right to act in self-defense, based on Art. 51 of the UN Charter. After all, all third states were present at the meeting of the Security Council and severely disregarded Iran's claim to act in self-defense. The investigation continued on the legal qualification of the fact.

The specifics respect episodes of attacks on the headquarters of diplomatic missions, that are followed by military operations, are justified on the basis of Art. 51 of

the UN Charter. The illicit act was charged to the state hosted the non-state entity. The offensive action attributed to a third state involved the headquarters of the mission and the territory of the state it found. Some ICJ judgments have highlighted the notion of armed attack, with reference to the use of force and against the headquarters of diplomatic missions (Gill, Tubiri-Szabò, 2023).

On the other hand, the bombing of the Iranian embassy in Damascus was considered by Iran an armed attack. The positions of Syria, Iran and of third states are, therefore, assessed separately (Finkelstein, 2023).

The killing of the general could have been a military objective of Iran and provoked an international armed conflict between Iran and Israel. The Quds forces and the general belonged to organized armed groups operating abroad, such as Lebanon and Syria. These groups act in the name and on behalf of Iran in divergences based on Art. 4, par. 2 and 8 of the draft articles of the International Law Commission on the responsibility of states for internationally wrongful acts that strictly concern an overall control (Watkin, 2022; Sassoli, 2024).

## **DIPLOMATIC MISSIONS AND USE OF FORCE**

Armed attack, in practice, is not considered in Art. 51 of the UN Charter. Nor is the bombing of a diplomatic mission abroad taken into consideration. Furthermore, there is no indication in Resolution 3314 /XXIX of 1974 of the General Assembly of the UN on the concept of aggression, which contains the controversies with the ICJ, that deals with cases of attacks on embassies providing a response in the matter under examination.

The ICJ has considered, the occupation of US diplomatic and consular personnel in Tehran case of 1980, an armed attack (Liakopoulos, 2020).<sup>10</sup>

The term armed attack has a general meaning in this case and is used descriptively and with precise reference to the military operation organized by the United States to save its hostages. The United States, adversely, justified its military operation with the concept of self-defense (Gray, 2018; Liakopoulos, 2020; Katjar, Barna Balazs, 2021).<sup>11</sup> These

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<sup>10</sup>ICJ, 24 May 1980 in the case relating to the diplomatic and consular personnel of the United States at Tehran (United States v. Iran), ICJ, Reports, 1980, 29, paras. 57, 64 and 91.

<sup>11</sup>ICJ, 24 May 1980 in the case relating to the diplomatic and consular

are two different hypotheses, where the scale seems to tip towards the first and not so much to the second one.

The ICJ had jurisdiction to hear *ratione materiae* a dispute concerning the application of the rules of *jus ad bellum* and the alleged violations of the Vienna Conventions of 1961 and 1963, as well as the Treaty of Friendship, Economic Relations and Consular Rights of 1955 in force between the United States and Iran.

In the case of armed activities in the territory of the Congo of 2005, the ICJ has identified as armed attacks the related damage suffered the Ugandan embassy in Kinshasa by Kongo. This was a subject of a counterclaim that was brought by Uganda. The attack launched against the seat of a diplomatic mission abroad falls within the scope of the prohibition of the use of force and of Art. 22 of the Vienna Convention on Diplomatic Relations of 1961, terms that have to do with the inviolability of the seat of the mission. In this regard, Uganda had claims that respected the counterclaim presented by the ICJ in original way. More precisely, it asked to ascertain the violation of provisions of

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personnel of the United States at Tehran (United States v. Iran), ICJ, Reports, 1980, 29, p. 18, par. 32.

the UN Charter, that concern the use of force (Pobje, 2024). The lack of compliance by Congo is concentrated on arts. 22, 24, 29 and 30 of the Vienna Convention on Diplomatic Relations of 1961.

The objection of inadmissibility for Congo was an assertion. Such an assertion unfairly expanded to the dispute resulted in Congo. It has affirmed the new claims, which are based on the same factual allegation, namely the unlawful use of force. The violation of Art. 22 of the Vienna Convention concerns the attack on the embassy (Liakopoulos, 2020).<sup>12</sup>

A decision of the ICJ, that is based on the unilateral declarations of the states, that accepted the jurisdiction of the court, according to ex Art. 36, par. 2 of the Statute. On the contrary, the military operations were conducted by Uganda in the territory of Congo as the subject of a principal claim. A claim that it was characterized as a violation of Art. 2, par. 4 of the UN Charter due to its duration and extent.

The positions of the ICJ, listed above, show that the damage

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<sup>12</sup>ICJ, sentence of 19 December 2005, in the affair of military activities in the territory of the Congo (Democratic Republic of the Congo v. Uganda), ICJ Reports, 2005, pp. 259, para. 266, 316, 337.



to the premises of an embassy violates the prohibition of the use of force against a sending state to its mission. There are no obstacles, that extend the conclusion to a third state, which has affected with its own action. The premises and the mission of the territory of the host state must be considered as damaged according to Art. 2, par. 4 of the UN Charter (Green, 2024).

#### **TERRITORIAL STATE AND SENDING STATE. ARMED ATTACK ON THE PREMISES OF DIPLOMATIC MISSIONS**

An offensive action against a premises of a diplomatic mission constitutes an armed attack according to Art. 51 of the UN Charter. Syria and Iran assessed in a different mode such a position.

The state in its own territory is based on the diplomatic mission and it is also useful to remember that the form of aggression has to do with the bombing and with any other weapon against the territory of a state, based on Art. 3, letter b) of the Resolution 3314 of 1974 of the UN General Assembly (Kolb, 2018).

The criterion, which the ICJ relied on in the case of military and paramilitary activities in and against Nicaragua of 1986,

distinguished the armed attack from the general prohibition of the use of force without preventing and considering the military operation as a serious operation (Liakopoulos, 2020).<sup>13</sup>

This conclusion does not change by hypothesis the action remained in an isolated manner. Regarding the *obiter dictum* contained in the 2007 oil rigs affair case, the ICJ stated that the incident occurred on the US naval vessel Samuel B. Roberts after the explosion of a mine could constitute an armed attack for the United States, which proved that Iran was the perpetrator (Liakopoulos, 2020).<sup>14</sup>

The positions, formulated above concerning the case under examination, have not been supported by the declarations of third states and in the meetings of the Security Council. Furthermore, they have not expressed evaluations on the position of Syria. Syria has limited itself to considering itself as a victim of continuous aggressions by Israel in the

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<sup>13</sup>ICJ, case 27 June 1986, relating to the affair of military and paramilitary activities in and against Nicaragua (Nicaragua v. United States), ICJ Reports, 1986, p. 109, para. 191.

<sup>14</sup>ICJ, sentence of 6 November 2003, in the Oil Platforms case (Iran v. United States), ICJ, Reports, 2003, p. 195, para. 72.

previous weeks without reacting as well as invoking self-defense. The evaluation of the military response to Iran seems complex.

The official declarations for third states do not seem to condemn Iran's claim to act in self-defense, thus arriving at considering the military operation, as a conduct against Israel, that is part of an armed retaliation. It seems difficult to consider Iran's armed response, in accordance with Art. 51 of the UN Charter, also for other reasons such as for example the immediacy and the offensive action of, which exhaustively destroyed the headquarters of the diplomatic mission (Schmitt, 2024).

The lack of approval depended on the fact that the bombing of a mission headquarters was not considered serious, thus justifying an armed attack necessary to defend itself. States have not perceived, that the bombing is a real “necessary evil” for the political independence and territorial integrity of Iran, as it happened with an asset outside its territory according to the Resolution n. 3314 of 1974 by the UN General Assembly. The prohibition of the use of force protects the territorial integrity as well as the political independence of a state. Art. 3, letter d) of the Resolution

3314 concerns military assets, which are connected with the independence of the state and offensive actions, targeting diplomatic mission premises for its citizens abroad. They are not interpreted by most states as an armed attack and the use of force as legitimate defense (Nolte, Randelzhofer, 2012). However, nothing can be said that prevents a state sending a diplomatic mission from acting in legitimate defense against the host state, that struck the premises.

States have invoked self-defense for attacks on diplomatic missions, thus treating armed attacks *per se*. The requirement of severity is necessary to ask for the assets of a state, that is attacked outside the territory, i.e. assets that are the object of an armed attack.

The interpretation of self-defense is an indication, which is based on the case of military and paramilitary activities in and against Nicaragua. The ICJ, in particular, has sought to form a general agreement for states, that indirect aggression is contemplated in Art. 3, letter g) of Resolution 3314 of 1974 of the UN General Assembly, constituting thus an armed attack, as a conduct capable of intensity by non-state entities (Ruys, 2010; Henderson, 2024).

This method has attempted to solve a problem for states regarding the identification assistance for other goods, not listed in Resolution 3314, which are however the object of armed attack. The related investigation for the positions of states in similar cases detect the existence and/or the absence of a general agreement, that is formed on the fact (Liakopoulos, 2020)<sup>15</sup> that has to do with the seat of the diplomatic mission and the target of an armed attack.

In the legitimate defense disputes, cases are included, where the state considers citizens abroad as victims of an armed attack, and/or that the armed attack is carried out by non-state entities without the involvement of any state. In this spirit, Art. 3, letter. g) of the Resolution 3314 of the UN General Assembly of 1974 as well as the restrictive interpretation of the court of 1986, have overcome the practice about attacks committed by non-state entities, that is, attacks that are not attributable to states. The

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<sup>15</sup>ICJ, case of 27 June 1986, relating to the affair of military and paramilitary activities in and against Nicaragua (Nicaragua v. United States), ICJ Reports, 1986, p. 109, para. 191. ICJ, sentence of 19 December 2005, in the affair of military activities in the territory of the Congo, op. cit., p. 222, para. 146.

related debate has to do with the definition of the objective element of the crime of aggression, which is codified by Art. 8-bis, par. 1 of the Statute of the International Criminal Court (ICC).

We cannot define as additional acts of aggression those provided for by Art. 8-bis, par. 2 of the Statute of the ICC, which takes into account Resolution 3314 of the General Assembly. Thus, an act of aggression is constituted, as a conduct that reaches a level of gravity and intensity equating cases provided for by art. 8-bis par.2.

The principle of legality in the criminal sector does not constitute an obstacle with respect to national legal systems. According to Kress, nothing prevents the ICC from establishing the attack on an embassy, which integrates the crime of aggression. This is a persuasive orientation, which carefully dedicates the research of the *opinio juris* in the states to identify acts of aggression additional to those listed in Art. 8-bis, par. 2 of the Statute (Grower, 2017; Kress, 2017; Tams, Bruckner, 2018; Corten, 2020).

The controversial precedents, which the United States invoked the term of self-defense to justify themselves, are related to the conduct of military operations after the

attacks launched. The cases against the headquarters of diplomatic missions are, however, limited and present various differences regarding the claim made by Iran on 13 April 2024. This defensive action is justified by the need to save the UN citizens, who are in the headquarters of the mission and not by the fact that this mission was hit (Forteau, Ting Xiu, 2024).

Within this context, we note the case of the hostage taking of the staff of the American embassy in Tehran and the rescue operation that the United States justified as an action of legitimate defense. The rescue operations of one's own citizens abroad constitute the relative exercise of legitimate defense. This is a position that was foreseen in the customary law in force even before the entry into force of the UN Charter and/or an armed attack against the citizens of a state abroad, which is equivalent to that launched against that state.

The armed intervention, that protects citizens abroad, does not seem to be a generalized practice opposed to the international community until 1985. But whatever the legal basis is, legitimate defense is possible when it seeks to “remove” the duty as well as when it ascertains whether

the *opinio juris* of the states reveal the existence, lack of a general agreement. In such cases, offensive actions of conduct against citizens abroad constitute an armed attack. Adversely, the application practice of Art. 51 of the UN Charter shows the existence of a general consensus on an aspect according to Art. 31, par. 3, letter b) of the Vienna Convention of 1969 on the Law of Treaties.

In cases where embassies have been attacked by terrorists, i.e. terrorist acts, the military operation as conducted calls for the paradigm of legitimate defense of an anticipated nature. In this spirit, we note the bombing of Libya in 1986, which justified legitimate defense and which undertook a series of terrorist attacks suffered by the United States and outside its territory including a rocket attack against the embassy in Beirut.

The justifications for military operations, as conducted by the United States against Sudan and Afghanistan of 1998, follow the terrorist attack, which hits the American embassies in Beirut. Such a claim, as a military action of a defensive nature, does not find general acceptance by the states. Such justifications are based on military operations conducted by the United States against Sudan and



Afghanistan in 1998 after the terrorist attack that hits the American embassies in Dar es Salaam in Tanzania and Nairobi in Kenya. The United States have acted only to defend themselves and to dissuade al Qaeda.

The states condemn the forceful action undertaken by Sudan. They were mixed positions, therefore, regarding the attack suffered by the temporary mission in the United States in Benghazi, that is, in Libya, in 2012 by a terrorist group, which killed the ambassador and three other American citizens. In 2014, the United States kidnapped Abu Khattalah in its Libyan territory invoking self-defense. This is an episode that characterizes the extraordinary rendition discussed by the Security Council provoking reactions by third states (Henderson, 2024).

The previous hypothesis, similar to the case under examination, concerns the targeted killing in Iraq of General Soleimani on 3 January 2020. This operation was decided and implemented by the United States, based on Art. 51 of the UN Charter from claims, that have to do with armed attacks carried out against them in the previous months, through events manifested in their embassy in Baghdad by non-state entities (Kata'ib Hezbollah). In this

regard, it refers to further attacks that had as their final objective threats of a continuous nature in Iran on American assets but also to defend American military and civilian personnel in Iraq from attacks carried out and by non-state entities, which are controlled in Iraq (Editorial, 2020; Molloy, 2021).<sup>16</sup> This military action seems to be on a par with those condemned by many other states.

In particular, after the assassination, Iran decided to respond with an armed attack against general Soleimani, which hit the American base in Iraq, where the killer drone that killed him had taken off. For the United States, this offensive action was a military response to Iran, that found justification in Art. 51 of the UN Charter.

This action did not find general approval from third-party states, thus giving rise to reactions of condemnation (O'Connell, 2020). Thus, it is asked whether the targeted killing by a state organ is considered as an armed attack by a state to which that organ belongs. The military operation, as conducted in self-defense of Iran in 2020, has not

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<sup>16</sup>Letter dated 8 January 2020 from the permanent representative of the United States of America to the United Nations addressed to the president of the Security Council, 9 January 2020, UN Doc. S/2020/20.

received general approval by third states. The execution of a specific form of armed attack is perceived as a serious matter.

The killing of Soleimani constituted an armed attack, as a member of the armed forces of a state, as provided for by Art. 3, letter d) of Resolution 3314 of 1974 of the UN General Assembly. The international community has not accepted the idea that Iran has lawfully exercised the right to self-defense (Corten, Dubuisson, Koutroulis, Lagerwall, 2020).

Overall, a definitive conclusion to the question under consideration does not seem convincing. Third states condemn the Iranian military operation and are aware, that Iran has declared to act according to Art. 51 of the UN Charter after the assassination of its general. These are episodes that have not found approval for third states but condemnations and limits arise to reactions of a different type. These are positions, that are expressed through the operation of Iran on 13 April 2024, which indicate the absence of a general consensus by the states in considering the seats of diplomatic missions that were possible objects of an armed attack to be protected by Art. 51 of the UN Charter.

## CONCLUSIONS

The comparative investigation followed in the previous paragraphs and the jurisprudence of the ICJ were based on the relative bombing of the Iranian diplomatic mission headquarters in Damascus, and the opportunity to states to evaluate Iran's justification of self-defense, based on Art. 51 of the UN Charter. This is an episode that has particular characteristics.

The relative opinions of third states do not seem to distance themselves from the assessments made in previous similar cases. Indeed, they considered the attack on the diplomatic mission headquarters, that determined the military operation, as a justification under the title of self-defense. A justification that found the general consensus of the states, which consider the attacks on the headquarters of diplomatic missions, as events to apply the defensive response based on Art. 51 of the UN Charter and the unlawful on Art. 2, par. 4.

It is understood that the reason for various types of opinions has to do with the states that take into consideration non-serious events and that pass above the

threshold of Art. 51 of the UN Charter.

It is not excluded to consider that the headquarters of diplomatic missions, as assets place the actual armed attack outside their territory. In both hypotheses it seems, that the interpretation is rigorous and the notion of armed attack is presented as a claim, that acts in self-defense.

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